

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors. ¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**MOTION TO INFORM DRA PARTIES' APPEARANCE AT THE
JUNE 3-4, 2020 OMNIBUS HEARING**

COME NOW AmeriNational Community Services, LLC (hereafter the “Servicer”), as servicer for the GDB Debt Recovery Authority (the “DRA”), and Cantor-Katz Collateral Monitor LLC, a Delaware limited liability company which serves as the collateral monitor for Wilmington Trust, N.A. in connection with the new bonds issued by the DRA pursuant to the *Government Development Bank for Puerto Rico Debt Restructuring Act*, Act No. 109-2017, as amended by Act No. 147-2018 and the approved Qualifying Modification for the Government Development Bank for Puerto Rico² under Title VI of the *Puerto Rico Oversight, Management and Economic Stability Act* (the “Collateral Monitor” and with the Servicer, the “DRA Parties”), and respectfully submit

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), and (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801).

² See Dkt. No. 270 of Civil Case No. 18-01561 (LTS).

this motion in compliance with the Court's *Order Regarding Procedures for June 3-4, 2020 Omnibus Hearing* (the "Scheduling Order") [Docket No. 13220 of Case No. 17-03283 (LTS)]:

1. Please take notice that Douglas S. Mintz of Orrick, Herrington & Sutcliffe LLP and Nayuan Zouairabani Trinidad of McConnell Valdés LLC will appear and present argument on behalf of the DRA Parties at the June 3-4, 2020 Omnibus Hearing (the "Omnibus Hearing"), which will be conducted telephonically via CourtSolutions. Counsels Mintz and Zouairabani will present oral argument at the June 4, 2020 preliminary hearing to address³:

- a. *The Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection* [Docket No. 10102 of Case No. 17-3283];
- b. *The Opposition of Financial Oversight and Management Board for Puerto Rico to Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection* [Docket No. 10613 of Case No. 17-3283];
- c. *The DRA Parties Opening Response to (I) Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance*

³ In compliance with the Scheduling Order, the DRA Parties have been coordinating with the other parties who will present argument at the preliminary hearing for the preparation of a joint informative motion to identify, among other things, the parties who intend to appear and speak in connection with the monolines lift-stay motions, and the time allocations for each speaker.

Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection (Dkt. No. 10102), and (II) Opposition of Financial Oversight and Management Board for Puerto Rico to Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection (Dkt. No. 10613) [Docket No. 12396 of Case No. 17-3283];

- d. *The Financial Oversight and Management Board's Response to DRA Parties' Opening Response [Docket No. 12496 of Case No. 17-3283];*
- e. *The Limited Joinder of Official Committee of Unsecured Creditors in Support of Financial Oversight and Management Board's Response to DRA Parties' Opening Response [Docket No. 12500 of Case No. 17-3283];*
- f. *The DRA Parties Reply to (I) the Financial Oversight and Management Boards Response to DRA Parties Opening Response, and (II) Limited Joinder of Official Committee of Unsecured Creditors in Support of Financial Oversight and Management Boards Response to DRA Parties Opening Brief [Docket No. 12999 of Case No. 17-3283];*
- g. *The Sur-Reply of Financial Oversight and Management Board for Puerto Rico in Opposition to Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection [Docket No. 13157 of Case No. 17-3283];*

h. The *DRA Parties' Response to the FOMB's Sur-Reply* [Dkt. No. 13157]
[Docket No. 13226 of Case No. 17-3283]; and

i. Any objections, responses, or motions related to the foregoing.

2. The DRA Parties' legal representative further reserve the right to be heard on any matter identified in the Agenda to be filed by the Oversight Board in connection with the Omnibus Hearing, or raised by any party at the Omnibus Hearing related to the Title III cases or any adversary proceeding which may affect the interests of the DRA Parties.

WHEREFORE, the DRA Parties respectfully requests the Court to take note of the foregoing and deem them in compliance with the Scheduling Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, today June 1, 2020.

CERTIFICATE OF SERVICE: In accordance with Fed. R. Bankr. P. 9014(b), Fed. R. Bankr. P. 7004(b), and the Court's *Eleventh Amended Notice, Case Management and Administrative Procedures Order* [Dkt. No. 11885-1] (the "CMP Order"), we hereby certify that a true and exact copy of the foregoing was sent by electronic mail upon all the parties listed in the Master Service List and by U.S. mail upon all the Standard Parties listed in the CMP Order.

MCCONNELL VALDÉS LLC

270 Muñoz Rivera Avenue, Suite 7
Hato Rey, Puerto Rico 00918
PO Box 364225
San Juan, Puerto Rico 00936-4225
Telephone: 787-250-5632
Facsimile: 787-759-9225

By: /s/Arturo J. García-Solá

Arturo J. García-Solá
USDC No. 201903
Email: ajg@mcvpr.com

By: /s/Alejandro J. Cepeda-Díaz

Alejandro J. Cepeda-Díaz
USDC No. 222110
Email: ajc@mcvpr.com

By: /s/Nayuan Zouairabani

Nayuan Zouairabani
USDC No. 226411
Email: nzt@mcvpr.com

***Attorneys for AmeriNational Community
Services, LLC as servicer for the GDB Debt
Recovery Authority***

C. CONDE & ASSOC. LAW OFFICES

By: /s/ Carmen D. Conde Torres

Carmen D. Conde Torres
(USDC No. 207312)
254 San José Street, Suite 5
San Juan, PR 00901-1523
Tel. 787-729-2900
Fax. 787-729-2203
E-Mail: condecarmen@condelaw.com

-and-

**ORRICK, HERRINGTON &
SUTCLIFFE LLP**

By: /s/ Douglas S. Mintz

Douglas S. Mintz (admitted pro hac vice)
Columbia Center
1152 15th Street, N.W.
Washington, D.C. 20005-1706
Telephone: (202) 339-8400
Facsimile: (202) 339-8500
E-mail: dmintz@orrick.com

and

Laura Metzger (admitted pro hac vice)
Peter Amend (admitted pro hac vice)
David Litterine-Kaufman (pro hac vice pending)
Monica Perrigino (admitted pro hac vice)
51 West 52nd Street
New York, N.Y. 10019
Telephone: (212) 506-5000
E-mail: lmetzger@orrick.com
pamend@orrick.com
dlitterinekaufman@orrick.com
mperrigino@orrick.com

***Attorneys for Cantor-Katz Collateral Monitor
LLC, as Collateral Monitor for GDB Debt
Recovery Authority***